

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:19cr79-RJC

UNITED STATES OF AMERICA)
)
v.) FINAL ORDER AND JUDGMENT
) CONFIRMING FORFEITURE
JAVIER GUILLEN ISLAS)

Upon Motion of the United States for a Final Order and Judgment of Forfeiture, (Doc. No. 46), THE COURT FINDS AS FOLLOWS:

On September 30, 2019 this Court entered a Consent Order and Judgment of Forfeiture of real property, a rifle, and currency. (Doc. No. 38). The Consent Order was based upon the Defendant's plea of guilty to charges related to methamphetamine trafficking conspiracy. (Doc. No. 22: Plea Agreement; Doc. No. 24: Acceptance and Entry of Guilty Plea). The Consent Order was signed by Defendant and also stated the government would only take possession of the real property if the Defendant did not tender \$75,000 as substitute res within 100 days after his sentence. (Doc. No. 38 at 1, 3)

From October 9, 2019 through November 7, 2019, the United States published, via www.forfeiture.gov, notice of this forfeiture and of the intent of the Government to dispose of the forfeited property according to law, and further notice to all third parties of their right to petition the Court within sixty days from October 9, 2019, for a hearing to adjudicate the validity of any alleged legal interest in the property. (Doc. No. 44).

On October 8, 2019, the United States sent notice, via Federal Express to the following individuals and/or entities who the United States determined reasonably appeared to be potential petitioners asserting interests in the property. (Doc. No. 45).

<u>Notice Sent</u>	<u>Party Name</u>	<u>Disposition (Exhibit A)</u>
10/08/2019	David Uriel Sanchez Bogarin	Delivered 10/10/2019
10/08/2019	David Uriel Sanchez Bogarin	Delivered 10/10/2019
10/08/2019	Maria Auxilio Campos-Gutierrez	Delivered 10/10/2019
10/08/2019	Maria de Jesus Campos-Gutierrez	Delivered 10/09/2019

It appears from the record that no petitions have been filed and the time for filing petitions has expired. Based on the record in this case, including the defendant's plea of guilty, the Court finds, in accordance with Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

IT IS, THEREFORE, ORDERED that, in accordance with Rule 32.2(c)(2), the Consent Order and Judgment of Forfeiture is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

The Real Property at 9733 Gel Gerry Place, Charlotte, NC 28215, more particularly described in a deed, filed in the Mecklenburg County Public Record on September 27, 2018 to Maria de Jesus Campos Gutierrez and Maria Auxilio Campos Gutierrez, as all of lot 30 of Lamplighter Village shown in Map Book 15, page 267;

One DPMS, model A-150, 6.8 caliber rifle, a magazine, and ammunition; and

Approximately \$5,000 in seized currency derived from the sale of a Chevrolet truck paid for by Defendant

SO ORDERED.

Signed: April 28, 2020



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Robert J. Conrad, Jr.

United States District Judge